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TREATMENT OF ADOLESCENTS IN CONFLICT WITH THE LAW; TOWARDS THE REDUCTION OF RECIDIVISM

Verónica Godoy Cervera & Claudia Gamboa Loria** & Carlos Alberto
Macedonio Hernández*** & Lucely Martina Carballo Solís*****

Adolescence is a key period in human development, in which young people are exposed to dangerous situations, one of those dangers is the risk of participating in criminal or illicit activities. This article focuses on the treatment of adolescents who are in conflict with the law. It describes the model for the evaluation of risk of violence and recidivism. It describes the instruments for the evaluation that are available to the young people who are interned for criminal behavior. It also describes, in detail, the Inventory for management and Intervention for young people. IGI-J, it also describes the most effective treatment model up to date related to criminal recidivism in adolescents and its implications.

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INTRODUCTION

Adolescence is a period in which the development of young people is at its peak, because young people mature in several aspects; however, it is also a phase in life in which they are exposed to risky situations. Besides the physical, cognitive, psychological and social changes that are common in adolescence, it also results in stronger resistance to rules and authority figures, therefore regulation and supervision by adults is very difficult. It is also a period in life in which young people are prone to getting involved in activities related to drugs, alcohol and tobacco consumption; many start an active sexual life, which increases the probability of pregnancy and STDs; a great number of adolescents start to develop antisocial behavior and even criminal activities. However, only a reduced number of young people continue with their antisocial behavior and develop a more serious offender career.¹ It has been calculated that 5% of all adolescents who have committed a crime continue a life of delinquency and increase the gravity of their crimes^{2 3}. However, researches show that treatment of adolescents has a better effect in the reduction of recidivism compared to treatment in adults⁴, it means that the most relevant period to implement a program with more probability of success is during the adolescence⁵; without a timely and opportune intervention, the possibility of taking advantage of the ideal moment is lost. Prevention of juvenile violence must solve the double need of guaranteeing, on one hand, the public safety, and on the other to guarantee the rehabilitation and reintegration of those adolescents who have committed a crime⁶. This perspective justifies the need of increasing the efforts in working with young people at risk, especially those who are locked away because they have committed a crime. That means to design and implement adequate processes of evaluation, and treatment programs for adolescents that would be focused on the reduction of recidivism. The judicial and preventive initiatives aimed at reducing juvenile violence and

¹ L. A. Morales, *Revisión Sistemática de la efectividad del tratamiento dirigido a delincuentes juveniles serios institucionalizados* (Madrid: Tesis doctoral no publicada 2011).

² D. FARRINGTON, *INTEGRATED DEVELOPMENTAL AND LIFE-COURSE THEORIES OF OFFENDING* (New Jersey: Transaction Publishers 2008).

³ J. C. HOWELL, *PREVENTING AND REDUCING JUVENILE DELINQUENCY* (California: Sage 2009).

⁴ J. Latimer, *A Meta-Analytic Examination of Youth Delinquency, Family Treatment, and Recidivism*, *CANADIAN JOURNAL OF CRIMINOLOGY* 237—253 (2001).

⁵ V. Garrido, *El tratamiento del psicópata*, 14 *PSICOTHEMA* 181—189 (2002).

⁶ K. Arbach & A. Andrés-Pueyo, *Valoración del riesgo y predicción de la violencia Juvenil*. En V. Godoy & L. A. Morales & J. P. Dzib (Coords.), *Los niños, niñas y adolescentes en el sistema de justicia. Contribuciones desde la psicología jurídica y forense*. Universidad Autónoma de Yucatán: Mérida, Yucatán, México (2016).

delinquency, must include the participation of police officers, judicial, welfare, health and educational agents, to be coordinated and organized by a responsible authority⁷. Nowadays the assessment of recidivism risk has been a widely used model, because from a criminal perspective, it allows gathering thorough information about the young person and the treatment needs; with that information it is possible to develop individualized intervention programas that are related to the risk factors associated to recidivism. Besides that, the intervention with young people must start with a well defined theoretical framework which describes the explanatory model of juvenile delinquency. A solid theoretical framework will clarify the problem and therefore it will facilitate the procedure designed for the assessment of the young person and the intervention program, as well as the evaluation of the effects of the treatment program in recidivism. The integrated model of criminal behavior from Andrews and Bonta (1990) is one of the most known and used at international level, and has proven a significant impact in the reduction of recidivism⁸.

This article describes the model of risk assessment on violence and recidivism. It describes the instruments for the evaluation that are available to the young people who are interned for committing a crime. It also describes, in detail, the Inventory for management and Intervention for young people. IGI-J, it also analyzes the advantages and benefits for the professional practice in the evaluation and design of intervention programs. Lastly, it describes the integrated model of criminal behavior of Andrews and Bonta (1990) for the design of treatment programs, analyzing its usefulness and applicability in the professional practice.

I. LEGAL FRAMEWORK FOR THE INTERVENTION WITH ADOLESCENTS WHO ARE IN CONFLICT WITH THE LAW

On June 16, 2016, the Official Gazette in Mexico published the Law of Criminal Justice for Adolescents, which established a system by which minors between the ages 12-18 involved in criminal conduct will be judged. The Constitution requires the Federation and the States to establish an integral system for adolescents accused of criminal conduct, to protect their rights acknowledged by the Constitution and the international treaties signed by Mexico. Since it was a national law all States will have to abide by them.

⁷ *Ibid.*

⁸ D. Andrews & I. Zinger & R. Hoge & J. Bonta & P. Gendrea & F. Cullen, *Does Correctional Treatment Work? A Clinically Relevant and Psychologically Informed Meta-Analysis*, 28 CRIMINOLOGY 369—404 (1990).

The Law also establishes, although vaguely and imprecisely, that children under the age of 12 years can only be subject to rehabilitation and social assistance, therefore they are excluded from this system.

Probably one of the most important changes is that it has moved from a system which was entirely tutelary to a punitive one. Likewise, this Law foresees that institutions, courts and specialized authorities in matters of juvenile justice shall be established. Therefore the civil servants will have to receive specific training and qualifications.

This law established that minors engaged in criminal conduct shall receive a penalty with the purpose prescribed in Section 153, which is the social reintegration of the person responsible for criminal conduct, in order to exercise their rights, as well as the indemnification of damages, as described in the law. To carry out this system, the different environments, in which the adolescent grows up, such as the personal, family, school, job and community environments, will have to be considered. All the actions prescribed in this Law have to be implemented, as thorough as possible, with the participation of the people responsible for the young person, the community and with the support of specialists.

Likewise in Section 148 it establishes that: to establish a penalty it will be needed to take into account the circumstances of the minor and the facts, so the judicial authority shall have a wide knowledge of the case to make the decisions. To individualize the penalty the court shall consider the age of the adolescent, his or her personal, family, social and financial circumstances, as well as his or her vulnerability, always in their favor; to confirm the degree of participation of the adolescent, as a characteristic of the specific case, the circumstances and the gravity of the conduct; the circumstances of the criminal act, paying special attention to those circumstances that diminish or increase the responsibility; the possibility that the penalty would be served by the adolescent; the damage caused by the person and their efforts to repair it.

Regarding the measures foreseen to attain the social reintegration; the Law foresees that it must "... Guarantee the fulfillment of the rights of the youngsters, to facilitate their personal development, to listen and consider their opinion and include them in the preparation and execution of their individualized activity plan or individualized implementation plan; in order to minimize the negative effects that the penalty could have in their future life, and to promote the family and social bonds that contribute to their personal development, unless it is contrary to their rights" (Art. 154).

Likewise in Section 187 the Law maintains the need to formulate individualized plans to carry out the penalties, which will have to "... abide

by the purposes of the measures imposed by the Judge; to consider the particular characteristics of the teenager and their possibilities of fulfilling the Plan; to carry on a follow up of the teenage school studies at the appropriate level. To listen and consider the opinion of the young person and, in his case, of their guardians, and focus on the parameters of the education for the peace, the peaceful solution of conflicts and the learning of the human rights".

Likewise, in the implementation of the penalties it is foreseen the participation of the tutors or legal guardians of the minor along the process. Therefore, the Law establishes in Section 185 that "the Administrative Authority will be able to order the tutors of the young person, to offer their support and assistance during the fulfillment of the measures". For these effects, endeavors shall be made to provide training programs for the people responsible for the teenagers as well as school programs for the people responsible for the teenagers; orientation and treatment programs in cases of alcoholism and drug addiction; Medical programs, counseling sessions, and any other action or program that will allow the people responsible for adolescents to participate in securing the integral development of the adolescents.

Until now we have presented only some of the articles that, from our point of view, reflect clearly the vision of this new Law regarding treatment or penalties for the youngsters. An important aspect is that the law determines how important it is for the judicial authority to access vast and complete information to determine a measure. That means the need to implement suitable young people evaluation systems and processes; a truly multidisciplinary and integral evaluation that is able to determine the circumstances of the youngster in his social, educational, labour, familiar, health and emotional environment. The big challenge is to incorporate instruments of evaluation based on theoretical models with solid foundations and that are designed on purpose for this context and this population, which means to systematically abandon the systems of current evaluation based on health models, such as the methodologies of clinical psychology evaluation with a psychodynamic approach. Likewise, the law expresses the need to take into account the conditions and particular circumstances of the youngster to design the measure, according to the crime that was committed and the circumstances of his or her participation. In other words, it maintains the idea of an individualized intervention program; customized and adjusted to the characteristics and particular needs of the young person; which, we insist, would only be attained by an adequate evaluation process. Another aspect worth considering is the view of this law

on the participation of the family or guardians, it shows a clear understanding of the phenomenon of the juvenile delinquency, which assumes it is the product of a wide variety of factors, among them are the family, the social support networks, the social environment, etc. Likewise it allows that the youngsters learn and adopt more and better models and social skills that prepare them to face up to the circumstances of the life in freedom. Although implementing such measures of intervention of this nature is the ideal and most effective thing, the truth is that they are complex processes, difficult to operate and with high costs (greater disposal of trained professionals, suitable supervising processes, greater economic costs, appropriate installations for this, etc.), however is worth it to invest in treatment measures of such nature, since this has shown greater effectiveness. Finally it is important to point out the importance that the law gives to training and professional qualification of those who take part in working with youngsters in conflict with the Law, independently of their profile or function. We share this fact, but emphasize the importance of subjects such as criminal psychology, developmental criminology, contemporary theories on causes of crime, juridical psychology of children, correctional psychology, models of evaluation of the risk of violence and recidivism, amongst others.

II. THE PURPOSE OF TREATMENT PROGRAMS IN YOUNG PEOPLE

The youngsters that fulfill legal measures need new ways to perceive the reality and to act in it⁹, and the treatment or the intervention is one of the means used nowadays to reduce future criminal risk and promote a steady and appropriate social life¹⁰. An effective prevention of the juvenile violence, regardless of its level, should have to combine several social protection techniques, school integration and social-work policies and a well grounded health intervention to minimize the impact of the risk factors on the minors¹¹. The treatment programs must be focused in such way that the teenagers build problem solving skill strategies; to develop self-control in order to avoid responding with violence when facing provocations, whether

⁹ J. L. G. Graña & V. G. Garrido & L. G. González, *Evaluación de las características delictivas de Menores infractores de la comunidad de Madrid y su influencia en la planificación del Tratamiento*, 7(1) PSICOPATOLOGÍA CLÍNICA LEGAL AND FORENSE 7—18 (2007).

¹⁰ S. Redondo & A. M. Catena & A. Pueyo, *Factores de éxito asociados a los programas de intervención con menores infractores* (2011).

¹¹ K. Arbach & A. Andrés-Pueyo, *Valoración del riesgo y predicción de la violencia Juvenil*. En V. Godoy & L. A. Morales & J. P. Dzib (Coords.), *Los niños, niñas y adolescentes en el sistema de justicia. Contribuciones desde la psicología jurídica y forense*. Universidad Autónoma de Yucatán: Mérida, Yucatán, México (2016).

real or imaginary; and to be able to relate well in school, work or social environments, in order to develop adaptive skills and bring them into their socio-cultural environment¹². A system of modern juvenile justice must strive to develop effective practices, based on, what according to the investigations shows to be most successful, what is now called in the scientific literature as evidence based policy looking for results through well designed programs, known as Criminal Intervention Competency Model¹³.

The design of an intervention program must begin with a sufficient evaluation that allows adequate identification of the intervention needs or criminogenic needs, and individualized treatment. At present, it is possible to determine the level of risk of recidivism, so there are diverse guides and instruments that help to determine the level risk of recidivism, to make decisions and to design treatment programs. There are an important number of instruments oriented to the assessment of the risk in adolescents (for a review see Arbach & Andrés-Pueyo¹⁴).

III. THE ASSESSMENT OF RISK OF RECIDIVISM: ITS IMPLICATIONS IN THE DESIGN OF INTERVENTION PROGRAMS

In an attempt to understand the criminal behavior, criminology has determined the risk factors associated to delinquency (circumstance or attribute associated to the crime) as well as the factors for protection, that is to say, the circumstance, or conditions associated to a lower probability to develop criminal behavior¹⁵. To know the factors of risk and protection has two important implications for the intervention with young offenders. First of all, it allows designing scales and instruments of empirical prediction, based on the punctuation obtained by the youngsters in those factors. These scales establish criteria where certain marks place the subjects in different risk categories: low risk, moderate risk, high or very high risk. Likewise, to establish the risk factors and protection of a youngster in particular constitutes an indispensable step to determine the aims of intervention, since

¹² J. L. G. Graña & V. G. Garrido & L. G. González, *Evaluación de las características delictivas de Menores infractores de la comunidad de madrid y su influencia en la planificación del Tratamiento*, 7(1) PSICOPATOLOGÍA CLÍNICA LEGAL AND FORENSE 7—18 (2007).

¹³ *Ibid.*

¹⁴ K. Arbach & A. Andrés-Pueyo, Valoración del riesgo y predicción de la violencia Juvenil. En V. Godoy & L. A. Morales & J. P. Dzib (Coords.). *Los niños, niñas y adolescentes en el sistema de justicia. Contribuciones desde la psicología jurídica y forense*. Universidad Autónoma de Yucatán: Mérida, Yucatán, México (2016).

¹⁵ V. Garrido & E. López & T. Silva & M. J. López & P. Molina, *El modelo de la competencia Social de la Ley de Menores. Cómo predecir y evaluar para la intervención educativa* (Valencia: Tirant lo Blanch 2006).

it does not make sense to plan treatment goals without connection with the determinant factor for their antisocial behavior¹⁶.

As a response to the low predictive capacity of response of the clinical unstructured assessments, to calculate the probability of violent behavior; diverse instruments have been designed to improve the professional skills to predict the probability that an adult acts violently. The last two decades have been characterized by an accelerated production of these instruments which have been adapted to minors and teenagers. These instruments are taking into account particular development characteristics of the adolescents. Although there are a greater number of instruments produced in English, the production of instruments in Spanish is increasing. This assessment of the risk of violence technology seeks to structure, organize, assist and improve the evaluation of risk of violence or of criminal behavior. These tools are situated in a continuum which goes from mere actuarial instruments to professional structured assessment guides.¹⁷ The last ones are more effective applications of risk prediction models; in which the decisions are based on information that it is processed through statistical data and clinical professional assessment¹⁸. Risk prediction is based on this model which promotes the application of psychology in the prediction of violence and the design of specialized treatments.

There are assessment instruments or guides like the PCL-YV (Psychopathic Check List Youth Version)¹⁹ derived from the Psychopathic Check List Revised (PCL-R) developed by Hare²⁰, the SAVRY (Scale for Assessment of Risk for Violence in Youths)²¹, which has a version in Spanish, whose aim is to predict the risk of violence in teenagers (For a review of the available instruments in Spanish see Wengler and Andrés-Pueyo²²). An instrument from which there are several adaptations for

¹⁶ *Ibid.*

¹⁷ K. Arbach & A. Andrés-Pueyo, Valoración del riesgo y predicción de la violencia Juvenil. En V. Godoy & L. A. Morales & J. P. Dzib (Coords.). Los niños, niñas y adolescentes en el sistema de justicia. Contribuciones desde la psicología jurídica y forense. Universidad Autónoma de Yucatán: Mérida, Yucatán, México (2016).

¹⁸ S. Redondo & A. Pueyo, *La psicología de la delincuencia*, 28(3) PAPELES DEL PSICÓLOGO 147—156 (2007).

¹⁹ A. FORTH & D. KOSSON & R. HARE, THE HARE PSYCHOPATHY CHECKLIST: YOUTH VERSION (Toronto, ON: Multi-Health Systems 2003).

²⁰ R. D. Hare, PCL-R: Escala de Evaluación de Psicopatía de HARE Revisada: Manual Técnico. Tea (2010).

²¹ J. HILTERMAN & A. PUEYO, SAVRY STRUCTURED ASSESMENT OF VIOLENCE RISK IN YOUTH. Traducción al catalán y castellano (Barcelona: Centro de Estudios Jurídicos y Formación Especializada 2008).

²² L. Wengler & A. Andrés-Pueyo, *Tests Forenses en Español Para Evaluar Adolescentes Infractores*, 37 PAPELES DEL PSICÓLOGO 107—117 (2016).

youngsters is the Level of Service Risk-Need-Responsivity (LS-RNR)²³, from which derives the Youth Level of Service/Case Management Inventory²⁴, the last one has been translated and adapted to Spanish as *Inventario de Gestión e Intervención para jóvenes (IGI-J)* by the doctors Graña, Garrido and González²⁵. It evaluates the level of risk and the criminogenic needs that means those dynamic factors that can contribute to the management of the treatment^{26 27}. The instrument is useful for the professionals responsible for the design and implementation of judicial measures imposed to youngsters, and provides a connection between these factors and the development of an action plan. The IGI-J allows: (1) defining dynamic risk factors, (2) establishing a risk level by areas and to have a global index, (3) collecting aspects or factors that other instruments have not collected, (4) establishing the required intervention level, (5) formulating the explanatory hypothesis about the antisocial behavior, (6) designing the educational objectives related to the criminogenic needs detected, (7) establishing by whom, how and where the measure will be carried out and (8) evaluating the intervention in qualitative and quantitative ways to see whether the influence of the dynamic risk factors has decreased.

The IGI-J presents a listing of 42 ítems grouped in eight areas or categories, from which, through a detailed evaluation of each ítem, it is possible to determine the risk level of the teenager, and also to identify the needs, intervention and/or treatment. The 42 ítems that are divided in the following 8 categories or evaluation areas are: (1) Crimes and legal measures, past and current, (2) Educational guidelines, (3) Formal education and employment, (4) Relation with the group of peers, (5) Consumption of substances, (6) Leisure/entertainment, (7) Personality/behavior and (8) Attitudes, values and beliefs. We can conclude that the IGI-J, is an instrument of evaluation of risk and at the same time of management of intervention. That is to say that helps the design of the treatment, with

²³ D. A. ANDREWS & J. BONTA & S. J. WORMITH, *THE LEVEL OF SERVICE/RISK-NEED-RESPONSIVITY (LS/RNR)* (Toronto, ON: Multi-Health Systems 2008).

²⁴ R. D. HODGE & D. A. ANDREWS, *YOUTH LEVEL OF SERVICE/CASE MANAGEMENT INVENTORY (YLS/CMI)* (Toronto: Multi-Health Systems 2003).

²⁵ J. L. Graña & V. Garrido & L. González, *Reincidencia delictiva en menores infractores de la comunidad de Madrid: evaluación, características delictivas y modelos de predicción* (Madrid: Agencia para la reducción y reinserción del menor infractor 2011).

²⁶ J. L. G. Graña & V. G. Garrido & L. G. González, *Evaluación de las características delictivas de Menores infractores de la comunidad de madrid y su influencia en la planificación del Tratamiento*, 7(1) *PSICOPATOLOGÍA CLÍNICA LEGAL AND FORENSE* 7—18 (2007).

²⁷ J. L. Graña & V. Garrido & L. González, *Reincidencia delictiva en menores infractores de la comunidad de Madrid: evaluación, características delictivas y modelos de predicción* (Madrid: Agencia para la reducción y reinserción del menor infractor 2011).

multiple applications, that not only directs the performance of the educator towards the efficiency, but it helps to optimize resources²⁸. The application of the instrument requires of the review and documentation of the judicial file of the young person, the preparation of interviews to the young person and to other civil servants from the system that have contact with him, as well as of members of their family, who can offer information (as long as this was possible). Sometimes it can be useful to apply psychological evaluation instruments to contrast information; however, it is not indispensable for the application of the IGI-J. Once the information is collected, the next step is to analyze the presence of risk factors and protection of the youngsters. For the application of the instrument it is necessary to have specialized and skilled training.

IV. AN EFFECTIVE TREATMENT MODEL

The theoretical frame which most of the programs focused on treatment are based on is the integrated model of criminal behavior by Andrews et al.²⁹. This model states that a person cannot be considered as something isolated; because a person lives, grows and develops within a dynamic context. That's why the school, the family, the peers and the community have to take into account as elements participate, actively, in the development process. The person, their environment and their behavior influence one to another, therefore the environmental and social factors have to be considered, along with the personal factors, if better behaviors want to be predicted. This interpersonal and community influence explains the origin of the criminal behavior. In their model, Andrews et al.³⁰ found three principles associated to the effectiveness of a treatment, the principle of risk, need and responsivity. The principle of risk states that the level of treatment has to be congruent with the level of risk of recidivism of the teenager who will receive the treatment, it means that teenagers of higher risk of recidivism should receive more intense treatments than the ones with lower risk. This classification according to the level of risk of recidivism will lead to a reduction of the costs of the intervention, since not everyone will receive the same treatment nor the same number of sessions. The

²⁸ J. L. G. Graña & V. G. Garrido & L. G. González, Evaluación de las características delictivas de Menores infractores de la comunidad de Madrid y su influencia en la planificación del Tratamiento, 7(1) PSICOPATOLOGÍA CLÍNICA LEGAL AND FORENSE 7—18 (2007).

²⁹ D. Andrews & I. Zinger & R. Hoge & J. Bonta & P. Gendrea & F. Cullen, *Does Correctional Treatment Work? A Clinically Relevant and Psychologically Informed Meta-Analysis*, 28 CRIMINOLOGY 369—404 (1990).

³⁰ *Ibid.*

principle of need mentions that the youngsters in internment have diverse unsatisfied need, so it is important to work with those needs that can be changed. These needs are known as "criminogenic needs" or factors of dynamic risk, that is to say those that are modifiable, for example: It must be made sure that the youngster that are interned in a center, who are below the academic level, should register in the education programs offered by the institution. Likewise the youngsters with a record of abuse or dependency to alcohol, must attend the programs that deal with addictions. Also they must have programs that modify pro-criminal attitudes. These types of needs have to be the main aim of the intervention due to the fact that they are associated to recidivism, that is to say, if these are modified, the risk of recidivism is also modified. The non-criminogenic needs refer to static factors, that they can not be modified, for example: the gender or the offending career, however, they are important and have to be taken in account when designing individualized treatment programs; although they do not necessarily influence in a direct way the reduction of the recidivism³¹, due to the fact that they can have a moderate effect on the intervention. Finally, the principle of responsivity, states that in order to have an effective treatment, it has to take into account the individual characteristics of the youngsters that participate, for example: the different learning styles, or health damages that are product of the long history of substance consumption. If we look at the aim of the treatment proposed by the legislation in Yucatan, we can find that this model presents the necessary characteristics to achieve it effectively, and allows a suitable individualization of the intervention measures.

V. TREATMENT WITH INTERNED YOUNGSTERS: CHARACTERISTICS OF SUCCESSFUL PROGRAMS

The idea of the "reintegration" or "social readaptation" of criminals has always been questioned. Such idea does not exempt the young offenders to fulfill a treatment measure in a juvenile center. Whether the treatment programs work or not, is a question which science still has not been able to answer with all certainty. However, there is some empirical evidence that shows the effectiveness of some treatment programs, with some very particular characteristics that can shed some light in this regard. These programs can serve as a model for the formulation and implementation of programs for youngsters.

One of the characteristics of the most effective treatment programs for teenagers with chronic offending and violent careers is that they are founded

³¹ *Ibid.*

in cognitive or cognitive-behavioral type models. Such information has been confirmed in a meta-analytic study carried out by Garrido, Morales & Sánchez-Mecca³². Likewise, the programs that, empirically, have shown greater effectiveness are those that have taken in account the principles of risk-need-responsivity for their design and implementation³³. Similarly Lipsey et al.³⁴ analyzed the characteristics associated to the success of the cognitive-behavioral intervention programs, and found that the inclusion of two techniques seems to be particularly effective: anger management and problem solving. Also when the treatments are of high technical quality.

The great amount of information about what a treatment should have, has led the most developed countries such as Canada and the United Kingdom, to establish control and accreditation mechanisms for the different initiatives and programs. The criteria to take into account for the implementation of a treatment program according to these commissions are³⁵:

- (1) They are based on a model of personal change.
- (2) They properly justify the selection of subjects.
- (3) They are focused on dynamic factors or criminogenic needs.
- (4) They foresee methods of effective application that include the training and necessary qualification of the personnel of the program.
- (5) They are aimed at teaching skills.
- (6) They should properly justify the sequence, intensity and length of the treatment.
- (7) They must pay attention to the motivation and take into account the responsivity or response capacity of the participants.
- (8) They foresee the continuous attention of the subjects (after the program).
- (9) They consider the supervision to guarantee the integrity in the implementation of the program.
- (10) They establish procedures of continuous evaluation of the program.

Similarly, evidence shows that the programs with greater success have a larger number of sessions per week (intensive programs of a minimum of

³² V. Garrido & L. A. L. Morales & J. Sánchez-Mecca, *What Works for Seriousjuvenil Offenders? A Systematicreview*, 18 PSICOTHEMA 611—619 (2006).

³³ D. A. Andrews & J. Bonta & J. S. Wormith, *The Recent Past and Near Future of Risk and/or Need Assessment*, 52(1) CRIME & DELINQUENCY 7—27 (2006).

³⁴ M. W. Lipsey & G. L. Chapman & N. A. Landenberger, *Cognitive-Behavioral Programs for Offenders*, 578(1) THE ANNALS OF THE AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE 144—157 (2001).

³⁵ S. Redondo, *Individuos, sociedades y oportunidades en la explicación y prevención del delito: Modelo del Triple Riesgo Delictivo (TRD)*. Revista española de investigación criminológica (2008).

two weekly sessions, adding individual sessions to individualize the treatment), and good control of the integrity of the intervention with highly qualified educators and a low number of people leaving the program³⁶. A particularly significant finding is that the greater benefits of the intervention are found in participants considered high risk offenders, which goes against all intuition. However, this agrees with the principles of the effective treatment of Andrews and Bonta³⁷ that assert that the best results are produced when working with high risk offenders, who receive intensive services oriented to criminogenic needs, using cognitive-behavioral methods and based on social learning.

CONCLUSIONS

After twenty five years of studying adolescents in conflict with the law, a solid conclusion is that treatments reduce recidivism³⁸ and that when they are of high technical quality and take into account for its design and implementation the principles of risk-need-responsivity the reduction in recidivism are higher.³⁹ Thus as a justice system it is worth moving towards the integration of new methods that allow the evaluation of the risk level of recidivism and criminogenic needs of the teenagers. The objective is to adapt the treatment to their particular conditions and promote their successful reintegration to the community. However it must be taken into consideration that treatment programs are not the solution to the problem of the delinquency. It must be remembered that this is a complex and multi-causal phenomenon, whose prevention requires interventions at different levels (primary, secondary and tertiary), both personal and social; especially the prevention of primary nature that affects before the criminal behavior even starts.

Also, after the young offenders are released from incarceration, it is necessary to guarantee that the principles of the theory of risk-need-

³⁶ M. W. Lipsey & G. L. Chapman & N. A. Landenberger, *Cognitive-Behavioral Programs for Offenders*, 578(1) THE ANNALS OF THE AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE 144—157 (2001).

³⁷ D. A. ANDREWS & J. BONTA, *ASSESSING YOUTHFUL DELINQUENCY* (Cincinnati: Anderson Publishing 2001).

³⁸ S. Redondo & A. M. Catena & A. Pueyo, *Factores de éxito asociados a los programas de intervención con menores infractores* (2011).

³⁹ D. Andrews & J. Bonta & J. Wormith, *The Risk-Need-Responsivity (RNR) Model: Does Adding the Good Lives Model Contribute to Effective Crime Prevention?*, 38 CRIMINAL JUSTICE AND BEHAVIOR 735—755 (2011).

responsivity are applied in the community⁴⁰. Such works must focus on the correctional practice and policies. The first effort begins at the “evidence based criminal policies” while the second is the result of the improvement of the training of the professionals and of the practices of supervision and follow-up, with the purpose of making good use of the resources to reduce the recidivism.

In our system not all the professionals that work with minors have the knowledge and specific training on who the minors are, and much less they have a clear and structured knowledge on how to work with them. Besides, most of the civil servants lack the appropriate instruments that allow them a suitable evaluation of the factors associated to the criminal behavior, specially protocols of prediction of the risk of recidivism, protocols of intervention based on the cognitive-behavioral models aimed at modifying the thinking of the teenagers, as well as a methodology of family intervention. The National Law of the Integral System of Criminal Justice for Adolescents, allows the incorporation of our system of instruments like the IGI-J and intervention models like proposed by Andrews and Bonta⁴¹, which means institutional openness, especially from the civil servants in charge of implementing the system.

Finally, it is necessary to remember that even in the cases of teenagers with chronic criminal and violent history, it is possible to achieve positive changes⁴², and if, as society, our goal is the reduction of the delinquency, the teenagers are a population in which it is worth investing efforts and building the way towards the reduction of the recidivism, since it is the best moment to attain effective and durable changes.

⁴⁰ D. Luong & J. S. Wormith, *Applying Risk/Need Assessment to Probation Practice and Its Impact on the Recidivism of Young Offenders*, 38(12) CRIMINAL JUSTICE AND BEHAVIOR 1177—1199 (2011).

⁴¹ D. A. ANDREWS & J. BONTA, *ASSESSING YOUTHFUL DELINQUENCY* (Cincinnati: Anderson Publishing 2001).

⁴² L. Morales & V. Garrido, *Jóvenes en el sistema de justicia: la esperanza de la intervención*. Fundamentos de psicología Jurídica y Forense 279—311 (México: Oxford 2011).



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